

REMARKS

Claims 1-21, all the claims pending in the application, stand rejected on prior art grounds. Moreover, the specification is objected to. Claims 1, 8, and 15 are amended herein. Additionally, a substitute specification is provided herein. Applicants respectfully traverse these objections/rejections based on the following discussion.

I. The Objections to the Specification

The specification is objected to because it does not purportedly comply with 37 CFR §1.77(b). As such, Applicants have amended the specification to comply with the statutory provisions. Moreover, a substitute specification is provided herewith (marked up version and clean version). Therefore, the Applicants respectfully request that the Examiner reconsider and withdraw this objection.

II. The Prior Art Rejections

Claims 1-21 stand rejected under 35 U.S.C. §102(b) as being anticipated by Sziklai, et al. (U.S. Patent No. 6,341,287), hereinafter referred to as Sziklai. Applicants respectfully traverse these rejections based on the following discussion.

Sziklai teaches an integrated system for managing changes in regulatory and non-regulatory requirements for business activities at an industrial or commercial facility. Examples of applications of this system include environmental, health and safety activities, and food, drug, cosmetic, and medical treatment and device activities. The system provides one or more databases that contain information on operations and requirements concerning an activity or area

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of business; receives information on regulatory and non-regulatory changes that affect operations of the business; converts these changes into changes in data entry forms, data processing and analysis procedures, and presentation (by printing, electronic display and/or distribution) of data processing and analysis results to selected recipients, without requiring the services of one or more programmers to re-key and/or reformat the items affected by the change; and implements receipt of change information and dissemination of data processing and analysis results using the facilities of the Internet.

However, the claimed invention, as provided in amended independent claims 1, 8, and 15 contain features, which are patentably distinguishable from the prior art references of record, and in particular Sziklai. Specifically, claims 1 and 15 provide, “...determining whether breaches in security of said data processing system has occurred in each phase of development of a computer application program.” Similarly, claim 8 provides, “...wherein said third database tool is adapted to determine whether breaches in security of said data processing system has occurred in each phase of development of a computer application program.” These features are simply not taught or suggested in Sziklai.

These features relating to security are novel features not taught in Sziklai. In fact, column 9, lines 13-16 of Sziklai only generically refers to the fact that security is an important feature in database management. There is no mention of how such an implementation of security is to take place, let alone a determination of when breaches in security occur in the development of a software program (i.e., computer application program). Next, column 14, lines 50-58 of Sziklai refer to “[t]he Java security model prevents unauthorized tampering with the client machine using non-authenticated code.” However, this merely suggests that Sziklai’s system

uses a Java framework for preventing unauthorized tampering using non-authenticated code. However, this does not suggest, and no logical interpretation of this would suggest that the Java framework implemented by Sziklai can determine whether security breaches have occurred in all phases of the development of a software program. Furthermore, column 21, lines 65-67 of Sziklai once again very generically establishes implementing a security role to grant/restrict access to the database. However, there is no teaching of how this is accomplished in the context of software development.

Moreover, this is particularly clear because Sziklai focuses on the application of its system to environmental, health and safety activities, and food, drug, cosmetic, and medical treatment and device activities, and not computer program (software) development as does the claimed invention. In other words, Sziklai's system is not implementable in a software development scheme provided by the claimed invention. Thus, Sziklai's system is incapable of monitoring all phases of software development and determine whether security breaches have occurred, thereby clearly establishing the claimed invention novel and patentable over Sziklai.

In view of the foregoing, the Applicants respectfully submit that the cited prior art reference, Sziklai does not teach or suggest the features defined by amended independent claims 1, 8, and 15 and as such, claims 1, 8, and 15 are patentable over Sziklai. Further, dependent claims 2-7, 9-14, and 16-21 are similarly patentable over Sziklai, not only by virtue of their dependency from patentable independent claims, respectively, but also by virtue of the additional features of the invention they define. Moreover, the Applicants note that all claims are properly supported in the specification and accompanying drawings, and no new matter is being added.

In view of the foregoing, the Examiner is respectfully requested to reconsider and withdraw the rejections.

III. Formal Matters and Conclusion

With respect to the objection to the specification and the rejections to the claims, the specification and claims have been amended, above, to overcome these rejections. In view of the foregoing, the Examiner is respectfully requested to reconsider and withdraw the rejections to the claims.

In view of the foregoing, Applicants submit that claims 1-21, all the claims presently pending in the application, are patentably distinct from the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary. Please charge any deficiencies and credit any overpayments to Attorney's Deposit Account Number 50-0510.

Respectfully submitted,

Dated: July 28, 2004



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